

S  
328.3  
L13rmsc  
1782  
Montana Salary  
Commission  
Report and  
recommendations to  
the ...  
Legislature

**PLEASE RETURN  
REPORT  
and  
RECOMMENDATIONS**

**MONTANA  
SALARY COMMISSION  
1982**



STATE DOCUMENTS COLLECTION

FEB 22 1983

MONTANA STATE LIBRARY  
1515 E. 6th AVE.  
HELENA, MONTANA 59620

Published by  
**MONTANA LEGISLATIVE COUNCIL**  
Room 138  
State Capitol  
Helena, Montana 59620  
(406) 449-3064

Montana State Library



3 0864 1004 2603 3

MONTANA  
SALARY COMMISSION

REPORT  
AND  
RECOMMENDATIONS  
TO THE  
FORTY-EIGHTH LEGISLATURE

November 12, 1982



# MONTANA SALARY COMMISSION

| <u>Name</u>                                                               | <u>Appointed By</u>    | <u>Term Expires</u> |
|---------------------------------------------------------------------------|------------------------|---------------------|
| Mrs. Yvonne Bradford<br>1900 Ronald Avenue<br>Missoula, Montana 59801     | Governor               | 3/10/83             |
| Milton Datsopoulos<br>5520 Skyway<br>Missoula, Montana 59801              | Supreme Court          | 3/30/84             |
| Deborah L. Hanson<br>P.O. Box 550<br>Miles City, Montana 59301            | House Minority Leader  | 3/10/85             |
| Maurice Evans<br>400 Beverly Hill Road<br>Billings, Montana 59101         | Senate Minority Leader | 3/15/83             |
| John C. Hoyt<br>P.O. Box 2807<br>Great Falls, Montana 59403               | Supreme Court          | 3/30/84             |
| Robert T. Stevens, Jr.<br>P.O. Box 459<br>Bozeman, Montana 59715          | Speaker of the House   | 3/1/85              |
| Carolynn E. Morrison<br>131 13th Avenue South<br>Lewistown, Montana 59457 | Governor               | 3/10/85             |
| Carlyle D. Leeds, Sr.<br>806 8th Street<br>Havre, Montana 59501           | Senate Majority Leader | 3/1/85              |



## MONTANA SALARY COMMISSION

### REPORT AND RECOMMENDATIONS TO THE FORTY-EIGHTH LEGISLATURE

Pursuant to Article XIII, Section 3, of the Montana Constitution, and implementing Sections 2-16-401 and 2-16-402, Montana Codes Annotated, the Montana Salary Commission submits its 1982 report and recommendations.

This report supplements the Commission's 1973, 1974, 1976, 1978, and 1980 reports. Research material in those reports was used in the Commission's deliberations along with current information about comparable salaries in other states. The Commission met twice between September and November, 1982, with staff services provided by the Legislative Council.

All research material is on file at the Legislative Council office, where it may be examined.

### COMPENSATING THE GOVERNOR

The Montana Salary Commission believes the state's chief executive should be paid a salary commensurate with the dignity of the state, the duties and responsibilities of the office and equal to an executive with comparable responsibilities in the private sector.

Members of the Salary Commission are unanimous in agreement that the governor is entitled to greater compensation than any other official or employee of the state. In the office of the governor reposes responsibility for all functions of state government, with concomitant duty to oversee all facets of the administration. To great degree, the effectiveness of state government in problem solving, in economic development, in social improvement, and in related areas such as environmental protection is directly attributable to the ability, personality and character of the governor.

Ideally, the governor is an individual of unquestioned integrity, solid and wide-ranging academic background, long experience in challenging professional or business responsibility, proved political acumen, demonstrated leadership ability, genuine concern for the



welfare of the state, abundant energy, and excellent physical and mental health.

These qualities will equip the governor to solve the complex problems that arise daily, to meet on a level of equality business and political leaders from throughout the world, and to inspire confidence in the people of the state.

To expect a person endowed with all of these attributes to accept willingly and enthusiastically a job that demands 24-hour per day commitment, for an assured tenure of no more than four years, at an annual salary of \$47,023 is to ignore the opportunities for financial betterment that beckon him to professional or business pursuits.

The Salary Commission recognizes that increasing the governor's salary will not assure election of a person who possesses all of the qualifications necessary for leadership of the state. If the financial rewards, plus the perquisites, do not attract individuals who meet the requirements, at least the lack of them will not deter qualified candidates.

The quality and quantity of choices available to the voters will be enhanced and the probability of selecting an outstanding leader will be increased according to the attractiveness of the financial rewards offered.

Upgrading of the governor's salary broadens the range of salaries open to other elected officials and to senior administrative appointees to make government service more attractive to highly qualified people.

The Salary Commission members believe that appropriate salaries are needed for all decision-making, problem solving, policy-setting elected officials as well as for the governor, whose salary should be significantly higher than other state officials to emphasize the importance of the governorship. In the federal government, for example, no executive, judicial or legislative official is paid even 50 percent of the Presidential salary. In state government, with the governor paid substantially less than the President, the differential must of necessity be narrower. The governor is now matched in salary by the associate justices and surpassed by the chief justice and by many in professional and management positions. Without denigrating the responsibilities of those offices, it should be apparent that no individual has a wider range of duties nor greater demands on his time and



energy nor surpassing intellectual and physical impositions than the governor. To compensate him less handsomely than an investment officer or a university system head is false economy.

As the chief executive of this State and because of the complexities of properly discharging the executive functions, the governor must be able to hire competent personnel from the same talent reservoir as does private enterprise. As the salaries of his appointees should be substantially less than his own compensation, the salary of the governor must be at a level which will permit the governor to offer staff salaries to compete with the private business sector for the talent necessary to operate the executive branch of state government.

#### LIEUTENANT GOVERNOR

The Commission believes that the lieutenant governor is no longer just a figurehead, but an important adjunct to the office of governor and his salary should be considered on this basis.

#### THE JUDICIARY

The Commission feels that Montana has entered into a period of steadily increasing complexity when it is of utmost importance to all Montanans that the members of the Supreme Court and the trial judges be competent and independent. Just as the federal judges have suffered from the inflationary spiral, state judges have endured salaries less than commensurate with inflation. It is crucial that judicial compensation be adequate to attract the most learned and skillful attorneys to the bench.

#### THE ATTORNEY GENERAL

The office of attorney general has never been as important as it is now in this era of growing legal complexity. This office should attract and be held by a lawyer of utmost competence, experience, and perception, who understands that the office of attorney general is not a springboard for further political ambition but is of and by itself a position of highest importance.

### THE SECRETARY OF STATE

Most duties of the secretary of state are ministerial, but his membership on the board of examiners and on the board of land commissioners requires a person of great ability and integrity. The decisions by the members of these two boards have heavy economic impact on all Montanans. The secretary of state has a wide range of responsibilities covering a multitude of duties involving election supervision, corporation records and legislative assistance requiring supervision of a large staff. This officer should be well compensated.

### SUPERINTENDENT OF PUBLIC INSTRUCTION

The superintendent of public instruction is a member of the board of land commissioners and a non-voting, ex officio member of the board of education and of the board of regents. He also is charged with overseeing expenditures of large sums of public money, thus having both very important policy-making responsibility and decision-making obligations. The importance of this office speaks for itself and the salary should be sufficient to attract the most competent administrator in the state.

### CLERK OF THE SUPREME COURT

This is the only official to whom the 1981 Legislature granted a pay increase as large as the Salary Commission recommended. The recommendation in this report constitutes only a cost-of-living raise.

### AUDITOR

Emphasis is given again to the importance of membership on the board of land commissioners, and in addition, the auditor has many other responsibilities. He supervises and regulates the insurance and investment businesses which touch everyone's everyday life. As one of the most important elected positions in Montana, the salary should be commensurate with the responsibilities of the office.

## PUBLIC SERVICE COMMISSIONERS

Few elected officials have more responsibility and more demands on their time and physical and emotional reservoirs of strength than public service commissioners, and the nature of their offices requires them to maintain two homes.

The duties require meticulous research and superb judgment and integrity, and the decisions of the Public Service Commission are crucial to the welfare of the people. The salary of a commissioner should guarantee a degree of financial independence. The chairman deserves additional compensation for the administrative duties he performs.

## LEGISLATORS

The Salary Commission, recognizing the importance of the legislators and the impact their decisions have on the people of our State, believes that their salary must be adjusted upward to \$100 per day plus \$50 per day for expenses in regular and special sessions. The salary should also be payable for interim committee meetings when the normal state expense allowance will apply.

The Commission further believes that the public should be aware that a legislator's present salary, calculated on an hourly basis for time required during a session, is barely comparable to the minimum wage. The Commission is resolute in its hope that its recommendations on legislators' salaries be adopted.

## APPOINTED OFFICIALS

State Tax Appeal Board's work in deciding disputed property valuations against which tax levies are applied is important to the functioning of state and local government. The members of STAB should not be slighted in compensation since the alacrity and certitude they apply to completion of their duties is essential to the revenue collection to finance state and local governments. The salary levels recommended are considered the minimum compensation for these responsibilities.

Initiative 85, approved by the voters in 1980, expanded the state's control of lobbyists' activities and assigned administration of the law to the Commissioner of Political Practices, in addition to that official's other duties. In recognition of these enlarged responsibilities, the Salary Commission believes the Commissioner of Political Practices deserves the compensation increase recommended.

#### COMPENSATION ANOMALIES

Despite the historic reluctance of the legislature to raise salaries of elective officials to levels corresponding to rewards offered in the private sector, several state agencies pay certain key personnel far more than is received by the chief justice, the associate justices and the governor.

The Salary Commission intends no disparagement of these more highly paid officials and, indeed, recognizes that in most cases their salaries are realistic and correspond to what their services command in the job market.

The Salary Commission noted the salaries of the officials named herein, although this is not a complete list of top state salaries. Payroll records were not searched, and additional state officials may enjoy earnings within the ranges cited.

Believed to be the highest paid state official is the medical examiner who heads the Forensic Science Division in the Department of Justice and is paid \$79,843, or about 86 percent more than the attorney general, the statutory director of the department and the medical examiner's appointing authority.

At the beginning of this fiscal year, the salaries of the state investment officer and of his assistant were increased to \$65,000 and \$50,000 respectively. By contrast, the state auditor now is paid \$31,071 a year, and his ex officio duties include supervision of the insurance and investment businesses that impact on the lives of every Montanan.

The disparity between the annual salary of the state superintendent of public instruction, \$36,979, and those of his five top management assistants, ranging from \$39,449 to \$41,500 a year, is a striking contrast. The salary gap between the state superin-

tendent and the superintendents of the state's largest local school districts is even more striking. Indeed many of the smaller school districts pay their chief administrators more than the state superintendent receives. Contrast these salaries of local superintendents with the state superintendent's:

|                      |           |
|----------------------|-----------|
| Missoula High School | \$ 52,500 |
| Billings             | 51,000    |
| Great Falls          | 50,250    |
| Hardin               | 49,896    |
| Missoula Elementary  | 47,800    |
| Bozeman              | 47,500    |
| Colstrip             | 47,000    |
| Lewistown            | 46,587    |
| Helena               | 46,500    |
| Browning             | 46,000    |
| Libby                | 45,698    |
| Miles City           | 43,752    |
| Glasgow              | 43,200    |
| Lockwood Elementary  | 42,840    |
| Polson Elementary    | 42,500    |
| Butte                | 42,000    |
| Lodge Grass          | 41,000    |
| Anaconda             | 40,231    |
| Sidney               | 40,220    |
| Wolf Point           | 40,100    |
| Dillon High School   | 40,052    |
| Cut Bank             | 40,000    |
| Fairview             | 40,000    |

College and university administrative positions probably require a higher level of professional education and experience that justify the compensation of \$66,000 a year for the Commissioner of Higher Education and these salaries for the unit presidents:

- Montana State University \$65,000
- University of Montana \$64,000
- Montana Tech \$56,000
- Eastern Montana College \$55,000
- Northern Montana College \$52,000
- Western Montana College \$50,000

Each university unit president also is provided a home with utilities paid and the use of an automobile.

Notable also is the compensation of the appointive heads of the executive departments, one of whom surpasses all elected officials while the others are paid more than all elected officials except the governor and the members of the supreme court. Annual salary of a department director is \$46,500 except the director of Health and Environmental Sciences who receives \$53,000.



## GENERAL CONCLUSIONS

The Salary Commission recognizes that enactment of all of its salary recommendations would increase the biennial budget about \$2 million, an increase that may appear ill-advised in this period of economic uncertainty. The members of the Salary Commission are convinced, however, that the recommendations are warranted and that the total increase is a fraction of the state budget that would be a small price to attract top calibre people to public service.

Adoption of these salary recommendations would raise Montana's officials' compensation to realistic levels, and the state could abandon the game of "catch-up" it has been playing for decades. Following implementation of these salary proposals, only periodic adjustments would be required to compensate for fluctuations as recorded in the Consumer Price Index or in other authoritative economic measurement devices.

The Salary Commission's 1982 recommendations are essentially the same as the recommendations it presented in 1980, which the Legislature failed to accept, with only minor variations. The most noticeable of the variations is probably the reduction of the recommendation for the governor's salary from \$75,000 to \$70,000. This scaling down does not mean the Salary Commission is any less convinced that the governor is entitled to the greater compensation. The \$70,000 salary, at this time, would assure the governor the highest compensation paid by the state, with one possible exception, and consideration of his additional perquisites including a residence with a maintenance and food allowance and an automobile would put him well in the forefront.

The Montana Salary Commission urges the Legislature to enact these recommendations.





APPENDIX A  
RECOMMENDATIONS OF  
MONTANA SALARY COMMISSION

ANNUAL SALARIES BEGINNING JULY 1, 1983

|                                                   |           |
|---------------------------------------------------|-----------|
| Governor                                          | \$ 70,000 |
| Lieutenant Governor                               | 50,000    |
| Chief Justice of Supreme Court                    | 62,500    |
| Justices of Supreme Court                         | 60,000    |
| Attorney General                                  | 55,000    |
| State Auditor                                     | 36,000    |
| Superintendent of Public Instruction              | 46,000    |
| Public Service Commissioners<br>(except chairman) | 42,000    |
| Chairman, Public Service Commission               | 44,500    |
| Secretary of State                                | 36,000    |
| Clerk of Supreme Court                            | 32,000    |
| District Judge                                    | 55,000    |
| Commissioner of Political Practices               | 27,500    |
| Chairman, State Tax Appeals Board                 | 28,500    |
| Member, State Tax Appeals Board                   | 26,500    |

Legislator

\$100 per day salary for each day in regular or special session or attending interim meetings plus \$50 per day expenses, 7 days a week, during regular or special sessions and expenses as allowed under 2-18-501 through 2-18-503, MCA, for interim meetings.



## APPENDIX B

- Review of Montana Salary Commission Recommendations
- Comparative State Salaries
- Summary of Legislative Expense Allowances

# REVIEW OF MONTANA SALARY COMMISSION RECOMMENDATIONS

| Official             | Salary<br>FY 1981  | FY 1982             | % Increase | FY 1982            | After<br>7-1-82    | % Increase<br>FY 81 to<br>FY 83 | Salary<br>FY 1973      | % Change<br>FY 73 to<br>FY 83 |
|----------------------|--------------------|---------------------|------------|--------------------|--------------------|---------------------------------|------------------------|-------------------------------|
| Governor             | \$40,000           | \$75,000            | 87.5       | \$43,360           | \$47,023           | 17.6                            | \$25,000               | 88.1                          |
| Lt. Governor         | 28,700             | 50,000              | 74.2       | 31,077             | 33,671             | 17.3                            | 18,500                 | 82.0                          |
| Chief Justice        | 41,000             | 62,500              | 52.4       | 44,447             | 48,204             | 17.6                            | 24,000                 | 100.9                         |
| Assoc. Justice       | 40,000             | 60,000              | 50.0       | 43,360             | 47,023             | 17.6                            | 22,500                 | 109.0                         |
| Attorney General     | 36,500             | 55,000              | 50.1       | 39,555             | 42,887             | 17.5                            | 19,000                 | 125.7                         |
| State Auditor        | 26,500             | 36,000              | 35.9       | 28,685             | 31,071             | 17.2                            | 15,000                 | 107.1                         |
| Supt. of Pub. Inst.  | 31,500             | 38,000              | 20.6       | 34,120             | 36,979             | 17.4                            | 17,500                 | 111.3                         |
| Chairman, PSC        | 28,700             | 44,500              | 55.1       | 31,077             | 33,671             | 17.3                            | NA                     | NA                            |
| PSC Commissioner     | 28,700             | 42,000              | 46.3       | 31,077             | 33,671             | 17.3                            | 14,000                 | 140.5                         |
| Secretary of State   | 26,500             | 36,000              | 35.9       | 28,685             | 31,071             | 17.3                            | 15,000                 | 107.1                         |
| Clerk Sup. Court     | 25,750             | 29,000              | 12.6       | 27,870             | 30,185             | 17.2                            | 11,500                 | 162.5                         |
| District Judge       | 39,000             | 50,000              | 28.2       | 42,273             | 45,841             | 17.5                            | 20,500                 | 123.6                         |
| Comm. Pol. Pract.    | 22,000             | 25,000              | 13.6       | 23,794             | 25,754             | 17.1                            | NA                     | NA                            |
| Chairman, STAB       | 21,779             | 28,500              | 30.1       | 23,554             | 25,493             | 17.1                            | NA                     | NA                            |
| Member, STAB         | 21,200             | 26,000              | 22.6       | 22,924             | 24,809             | 17.0                            | NA                     | NA                            |
| Legislator (per day) | 39.50 <sup>1</sup> | 100.00 <sup>2</sup> | 155.7      | 43.74 <sup>3</sup> | 48.42 <sup>3</sup> | 22.6                            | 20<br>(30/day<br>exp.) | 142.1<br>50.0                 |

Consumer Price Index Increase FY 1972-1982 - 158.1%. Source: U.S. Bureau of Labor Statistics.

<sup>1</sup>Grade 8, Step 2, State Pay Plan. Payable for days when in session (\$37.48 per day during interim, Grade 8, Step 1), plus \$40 per day expenses, 7 days a week during session (during interim, \$33 per day expenses on committee business with receipt for lodging plus travel cost). During legislative session, each member was entitled to reimbursement for two round-trips home-to-capital.

<sup>2</sup>Payable for maximum of 90 days each biennium plus \$50 per day expenses, 7 days a week, during legislative session.

<sup>3</sup>Grade 8, Step 2, State Pay Plan. Payable for days on which legislature is in session and for days on which engaged in interim committee business, plus \$45 per day expenses, 7 days per week, during legislative session, and \$37.50 per day expenses, with receipt for lodging, during interim, plus travel expenses. During regular legislative session, legislator is entitled to reimbursement for four round-trips home-to-capital, and during special session, two round-trips.

COMPARATIVE STATE SALARIES - ANNUAL UNLESS OTHERWISE STATED  
Prepared for Montana Salary Commission - Revised July 19, 1982

| Official                 | Arizona                  | Colorado                 | Idaho                    | Kansas                   | Minnesota      | Nebraska                 | Nevada                   | New Mexico               | North Dakota             | South Dakota           | Utah                     | Wyoming                  |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|----------------|--------------------------|--------------------------|--------------------------|--------------------------|------------------------|--------------------------|--------------------------|
| Governor                 | \$56,000.00 <sup>a</sup> | \$60,000.00 <sup>a</sup> | \$50,000.00 <sup>d</sup> | \$52,425.00 <sup>1</sup> | \$66,500.00    | \$40,000.00 <sup>a</sup> | \$65,000.00 <sup>a</sup> | \$60,000.00 <sup>a</sup> | \$47,000.00 <sup>f</sup> | \$49,025.00            | \$52,000.00 <sup>a</sup> | \$57,000.00 <sup>a</sup> |
| Chief Justice            | NA                       | 32,600.00                | 14,000.00                | 15,728.00                | 40,000.00      | 37,000.00                | 10,500.00                | 38,500.00                | 6,000.00                 | 6,800.00 <sup>e</sup>  | 10,500.00                | NA                       |
| Associate Justice        | 57,500.00                | 58,636.00                | 47,300.00                | 53,250.00                | 59,000.00      | 48,315.00                | 48,315.00                | 50,500.00                | 35,400.00                | 48,000.00              | 50,500.00                | 63,500.00                |
| Attorney General         | 57,500.00                | 55,600.00                | 47,300.00                | 50,558.00                | 56,000.00      | 48,315.00                | 61,500.00                | 49,500.00                | 53,900.00                | 46,900.00              | 50,000.00                | 63,500.00                |
| State Auditor            | 50,500.00                | 40,500.00                | 42,000.00                | 46,500.00 <sup>b</sup>   | 56,000.00      | 39,500.00 <sup>b</sup>   | 52,500.00 <sup>b</sup>   | 44,000.00 <sup>b</sup>   | 38,200.00 <sup>g</sup>   | 41,635.00              | 41,000.00                | 63,463.00                |
| State of Pub. Inst.      | 40,500.00                | 45,125.00 <sup>c</sup>   | 3,500.00                 | 40,775.00                | 36,000.00      | 37,467.00 <sup>b</sup>   | 34,243.00                | 41,736.00                | 33,500.00 <sup>h</sup>   | 33,275.00 <sup>i</sup> | 35,500.00                | 62,500.00 <sup>e</sup>   |
| Com. on Pub. Inst.       | 40,500.00                | 62,419.00                | 37,500.00                | 41,818.00                | NA             | 48,500.00                | 40,509.00                | 50,000.00                | 34,000.00                | 37,800.00 <sup>t</sup> | 63,015.84                | 62,500.00 <sup>e</sup>   |
| Pub. Serv. Comm.         | 40,500.00                | 50,000.00                | 36,500.00                | 48,458.00                | 36,000.00      | 25,000.00                | 42,522.00                | 42,432.00                | 33,500.00 <sup>k</sup>   | 33,275.00              | 52,659.36                | 61,188.00                |
| Secretary of State       | 31,500.00                | 31,500.00                | 37,500.00                | 32,038.00                | 36,000.00      | 32,000.00                | 40,000.00                | 38,500.00                | 33,500.00 <sup>g</sup>   | 33,275.00              | 52,500.00 <sup>e</sup>   | 61,188.00                |
| Chief Justice of State   | NA                       | 42,684.00                | NA                       | 45,804.00                | NA             | 27,504.00                | NA                       | NA                       | 28,000.00 <sup>u</sup>   | NA                     | NA                       | 26,443.00                |
| District Judge           | 53,000.00                | 47,260.00                | 43,300.00                | 48,860.00                | 48,000.00      | 44,692.00                | 56,000.00                | 45,000.00                | 50,600.00                | 43,753.00 <sup>v</sup> | 45,000.00                | 61,000.00                |
| County Pol. Fract.       | NA                       | 33,456.00 <sup>d</sup>   | NA                       | 24,384.00 <sup>n</sup>   | NA             | NA                       | NA                       | NA                       | NA                       | NA                     | NA                       | NA                       |
| Tax Appeal Board, Chmn.  | 50/day                   | 100/day <sup>q</sup>     | 34,500.00                | 44,730.00                | 48,000.00      | 23,044.00                | NA                       | NA                       | NA                       | NA                     | 47,000.88                | 57,888.00                |
| Tax Appeal Board, Member | 15,000.00                | 14,000.00                | 4,200.00                 | 45/day                   | 18,500.00      | 4,800.00                 | 104/day                  | 40/day                   | 5/day/<br>session        | 80/day                 | 25/day                   | 30/day                   |
| Legis. Exp. Allow.       | See<br>Summary           | See<br>Summary           | 44/day                   | 50/day                   | See<br>Summary | See<br>Summary           | 44/day                   | None                     | 180/mo./term<br>85/day   | 50/day                 | See<br>Summary           | 60/day                   |

<sup>a</sup> Governor is provided a residence and an automobile.

<sup>b</sup> Commissioner of Insurance salary.

<sup>c</sup> Appointive position; salary range \$22,000 to \$32,000.

<sup>d</sup> Governor is provided a mansion plus an expense allowance of \$5,000.

<sup>e</sup> State provides an automobile.

<sup>f</sup> Plus unvouchered expense allowance of \$13,862 per year.

<sup>g</sup> Plus unvouchered expense allowance of \$11,206 per year.

<sup>h</sup> Plus unvouchered expense allowance of \$9,880 per year.

<sup>i</sup> Plus unvouchered expense allowance of \$10,028 per year.

<sup>j</sup> Plus unvouchered expense allowance of \$9,008 per year.

<sup>k</sup> Governor is provided free housing.

<sup>l</sup> Plus \$50 per day for each day attending to official duties. If appointed head of a department, salary may be greater as determined by governor.

<sup>m</sup> Salary of Public Disclosure Commission administrator, assistant auditor.

<sup>n</sup> Employee of Secretary of State's office.

<sup>o</sup> Plus actual expenses, limited to per diem and expenses for 120 days per year.

<sup>p</sup> Appointive commission, 3 members, 6-year terms.

<sup>q</sup> Plus \$50 for each legislative day - 75 days each biennium.

<sup>r</sup> Appointive; salary set by the governor.

<sup>s</sup> Salary set by the supreme court.

<sup>t</sup> Salary of 28 circuit judges; eight presiding circuit judges each receive \$44,750.

## SUMMARY OF LEGISLATIVE EXPENSE ALLOWANCES

|                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|---------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>COLORADO</u>     | In addition to salary, \$50 per day compensation allowed up to total of \$2,500 per year for committee attendance between sessions; actual and necessary expenses allowed for committee attendance between sessions. During session, each member is allowed \$20 per legislative day for actual expenses incurred and traveling expenses from his home to the capitol and back; in lieu of that, a member who resides outside the Denver Metropolitan Area is allowed up to \$40 per day for lodging and expenses. During session, actual and necessary expenses are allowed for one round-trip for each member; members living outside the Denver Metro Area are allowed travel expenses for one round-trip per week during session; mileage rate allowed is 20 cents per mile or 24 cents per mile for four-wheel vehicles. |
| <u>WYOMING</u>      | 12 cents per mile allowed for necessary travel to attend and return from legislative session.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <u>NEVADA</u>       | Maximum salary \$6,240 for a regular session and \$2,080 for a special session. Per diem allowance \$44 per day during session, plus one day allowance for travel; supplemental travel maximum allowance for regular session \$3,500, and for special session \$1,000, computed at 20 cents per mile traveled. Telephone allowance maximum \$1,000 during regular session and \$200 during special session; postage allowance \$60 per session; leadership of both parties each get \$300 additional for postage and phone during regular session and \$40 during special session.                                                                                                                                                                                                                                            |
| <u>KANSAS</u>       | \$400 per month salary for April-December of each year; mileage allowance 26 cents per mile. In addition, leadership receives annual salaries: speaker \$4,200, senate president \$4,200, speaker pro tem \$1,800, senate vice president \$1,800, majority and minority leaders and chairmen of Ways and Means Committees \$3,240 each.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <u>MINNESOTA</u>    | Payment of 24 cents per mile allowed for one round-trip home-to-capitol per week; up to \$23 per day allowed for living expenses in state and \$36 per day out of state.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <u>SOUTH DAKOTA</u> | Payment of five cents per mile allowed for one round-trip from home to Pierre for each session. Legislature meets every year: 40 days one year, 35 days the next.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |



ARIZONA

Legislators from Maricopa County receive \$20 per day for the first 120 days of a regular session and for legislative matters in Maricopa County and \$10 per day for days in excess of 120 in a regular session and \$40 per day for legislative matters outside Maricopa County. Legislators living outside Maricopa County receive twice as much subsistence except that they receive only \$20 per day for legislative matters in their county of residence.

NEBRASKA

During regular session, mileage reimbursement allowed for one trip from home to capitol and return. During special session or for interim meetings, payment allowed for actual expenses only with receipts required.

UTAH

Per diem of \$25 is paid for 60-day session in odd-numbered years and for 20-day session in even-numbered years plus \$15 per day expenses during these regular sessions. Travel allowance is 23 cents per mile. For interim meetings, legislators receive only per diem of \$25 -- no expense payments.

NEW MEXICO

Per diem of \$40 is paid for 60-day session in odd-numbered years and for 30-day session in even-numbered years. Travel allowance of 10 cents per mile for one trip home to Santa Fe and return for each session.



APPENDIX C  
BILLS TO IMPLEMENT  
1982 RECOMMENDATION  
OF  
MONTANA SALARY COMMISSION

- LC 218      Increasing salaries for the chief justice and justices of the Supreme Court and for judges of the district courts
- LC 219      Increasing salaries and expense allowances for legislators
- LC 220      Increasing salaries for elected officials of the executive branch and for members of State Tax Appeal Board and Commissioner of Political Practices



BILL NO.

INTRODUCED BY

BY REQUEST OF THE MONTANA SALARY COMMISSION

A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING SALARIES OF THE CHIEF JUSTICE AND THE JUSTICES OF THE SUPREME COURT AND OF THE JUDGES OF THE DISTRICT COURTS; AMENDING SECTIONS 2-16-405 AND 3-5-211, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 2-16-405, MCA, is amended to read:

"2-16-405. Salaries of certain elected state officials. The salaries paid to certain elected officials of the state of Montana for fiscal year 1982 and following years are:

|                      | Fiscal Year | Following     |
|----------------------|-------------|---------------|
|                      | 1982        | June 30, 1982 |
| Governor             | \$43,360    | \$47,023      |
| Lieutenant governor  | \$31,077    | \$33,671      |
| Chief-justice-of-the |             |               |
| supreme-court        | \$44,447    | \$48,204      |
| Justices-of-the      |             |               |
| supreme-court--each  | \$43,360    | \$47,023      |
| Attorney general     | \$39,555    | \$42,887      |
| State auditor        | \$28,685    | \$31,071      |

|                              | Fiscal Year | Following     |
|------------------------------|-------------|---------------|
|                              | 1982        | June 30, 1982 |
| Superintendent of            |             |               |
| public instruction           | \$34,120    | \$36,979      |
| Public service commissioners | \$31,077    | \$33,671      |
| Secretary of state           | \$28,685    | \$31,071      |
| Clerk of the supreme court   | \$27,870    | \$30,185"     |

~~NEW\_SECTION.~~ Section 2. Salaries of the chief justice and justices of the supreme court. For fiscal year 1984 and following years, salaries paid to members of the supreme court are:

(1) chief justice, \$62,500; and

(2) justices, each, \$60,000.

Section 3. Section 3-5-211, MCA, is amended to read:

"3-5-211. Salaries and expenses of district judges.

(1) The annual salary of each district judge ~~is as follows:~~

~~(a) for the fiscal year beginning July 1, 1981 1983,~~  
~~and ending June 30, 1982, \$42,273;~~

~~(b) after June 30, 1982, \$45,041 for each following~~  
~~year is \$55,000.~~

(2) Actual and necessary expenses for each district judge shall be the travel expenses, as defined and provided in 2-18-501 through 2-18-503, incurred in the performance of his official duties."

~~NEW\_SECTION.~~ Section 4. Codification instruction.

1 [Section 2] is intended to be codified as an integral part  
2 of Title 2, chapter 16, part 4, and the provisions of Title  
3 2, chapter 16, part 4, apply to [section 2].

4 ~~NEW SECTION.~~ Section 5. Effective date. This act is  
5 effective on July 1, 1983.

-End-





1                                \_\_\_\_\_ BILL NO. \_\_\_\_\_

2        INTRODUCED BY \_\_\_\_\_

3                        BY REQUEST OF THE MONTANA SALARY COMMISSION

4

5        A BILL FOR AN ACT ENTITLED:    "AN ACT INCREASING A  
6        LEGISLATOR'S SALARY AND EXPENSE ALLOWANCE; AMENDING SECTIONS  
7        5-2-301 AND 5-2-302, MCA; AND PROVIDING AN EFFECTIVE DATE."

8

9        BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10                Section 1. Section 5-2-301, MCA, is amended to read:

11                "5-2-301. Compensation and expenses for members while  
12        in session. (1) Legislators are entitled to a salary  
13        ~~commensurate-to-that-of-the-daily-rate-of-a-grade-8, step-2,~~  
14        ~~classified--state--employee of \$100 per day~~ for those days  
15        during which the legislature is in session. The president of  
16        the senate and the speaker of the house shall receive an  
17        additional \$5 a day in salary for those days during which  
18        the legislature is in session.

19                (2) Legislators are entitled to ~~\$45~~ \$50 a day, 7 days  
20        a week, during a legislative session, as reimbursement for  
21        expenses incurred in attending a session. Expense payments  
22        shall stop when the legislature recesses for more than 3  
23        days and shall resume when the legislature reconvenes.

24                (3) Legislators are entitled to a mileage allowance as  
25        provided in 2-18-503 for each mile of travel:

1 (a) to the place of the holding of the session and to  
 2 return to their place of residence at the conclusion of the  
 3 session; and

4 (b) for one additional round trip to their place of  
 5 residence during each session.

6 (4) In addition to the mileage allowance provided for  
 7 in subsection (3), legislators are entitled to two  
 8 additional round trips to their place of residence during  
 9 each regular session upon submittal of an appropriate claim  
 10 for such mileage reimbursement to the office of legislative  
 11 council.

12 (5) Legislators are not entitled to any additional  
 13 mileage allowance under subsection (3)(a) or (3)(b) for a  
 14 special session if it is convened within 7 days of a regular  
 15 session."

16 Section 2. Section 5-2-302, MCA, is amended to read:

17 "5-2-302. Compensation and expenses when legislature  
 18 not in session. When the legislature is not in session,  
 19 members of the legislative council, legislative  
 20 subcommittees, and select and interim committees, while  
 21 engaged in authorized committee business, are entitled to:

22 (1) a mileage allowance as provided in 2-18-503;

23 (2) expenses as provided in 2-18-501 and 2-18-502; and

24 (3) a salary ~~equal to one full day's pay at the rate~~  
 25 ~~of a classified state employee described in 5-2-301 of \$100~~

1 for each 24-hour period of time (from midnight to midnight),  
2 or portion thereof, spent away from home on authorized  
3 committee business. However, if time spent for business  
4 other than authorized committee business results in  
5 lengthening a legislator's stay away from home into an  
6 additional 24-hour period, he may not be compensated for the  
7 additional day."

8 ~~NEW SECTION.~~ Section 3. Effective date. This act is  
9 effective on July 1, 1983.

-End-



4

9

|    |               |          |          |          |
|----|---------------|----------|----------|----------|
| 25 | State auditor | \$28,685 | \$31,071 | \$36,000 |
|----|---------------|----------|----------|----------|

|                     | Fiscal Year | Following     | Following     |
|---------------------|-------------|---------------|---------------|
|                     | 1982        | June 30, 1982 | June 30, 1983 |
| Superintendent of   |             |               |               |
| public instruction  | \$347,120   | \$367,979     | \$461,000     |
| Public service      |             |               |               |
| commission chairman |             |               | \$441,500     |
| Public service      |             |               |               |
| commissioners       |             |               |               |
| other than chairman | \$317,077   | \$337,671     | \$421,000     |
| Secretary of state  | \$287,685   | \$317,071     | \$361,000     |
| Clerk of the        |             |               |               |
| supreme court       | \$277,870   | \$307,185     | \$321,000"    |

Section 2. Section 15-2-102, MCA, is amended to read:

"15-2-102. Qualification and compensation. (1) To be appointed a member of the state tax appeal board, a person must possess knowledge of the subject of taxation and skill in matters pertaining thereto. No person so appointed may hold any other office under the laws of this state or any other state or any office under the government of the United States or under the government of any other state. He shall devote his entire time to the duties of the office and shall not hold any other position of trust or profit or engage in any occupation or business interfering or inconsistent with his duties. The state tax appeal board is transferred to the department of administration for administrative purposes



only as is specified in 2-15-121. However, the board may hire its own personnel, and 2-15-121(2)(d) does not apply.

(2) The member designated chairman as provided for in 15-2-103 shall receive a ~~an~~ annual salary of ~~\$23,554--in fiscal--1982--and--\$25,493--in--fiscal--1983~~ \$28,500. The remaining state tax appeal board members shall be paid a ~~an~~ annual salary of ~~\$22,924--in--fiscal--1982--and--\$24,809--in fiscal--1983~~ \$26,500. All members of the board shall receive travel expenses as provided for in 2-18-501 through 2-18-503, as amended, when away from the capital on official business.

(3) The salary commission must review the salary for members of the board and shall recommend an appropriate salary to the legislature."

Section 3. Section 13-37-106, MCA, is amended to read:

"13-37-106. Salary. (1) The commissioner of political practices is entitled to receive a ~~an~~ annual salary of ~~\$23,794--in--fiscal--year--1982--and--\$25,754--after--June--30,--1982~~ \$27,500.

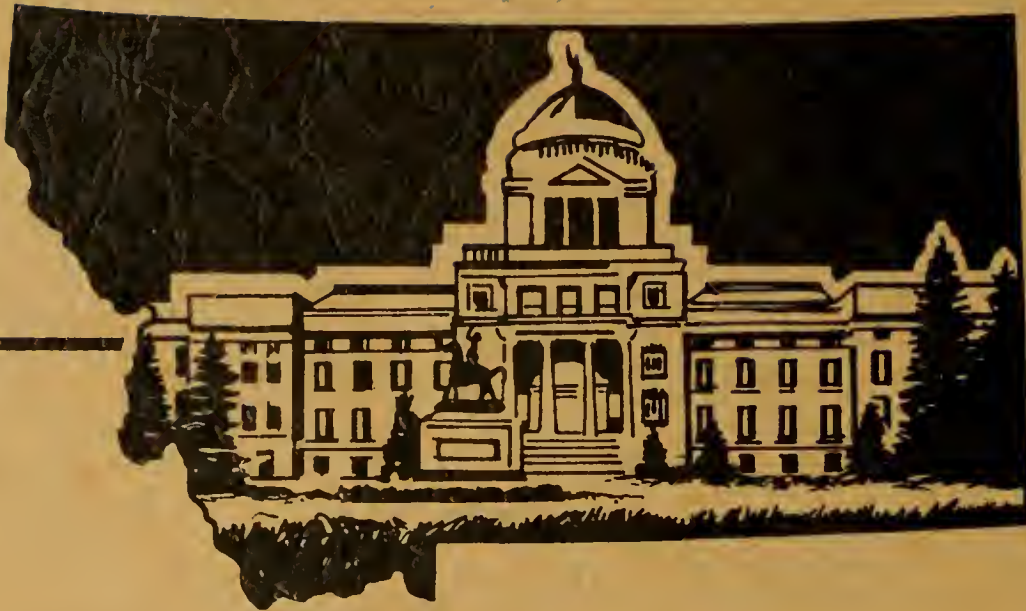
(2) The salary commission must review the commissioner's salary and may recommend salary increases to the legislature."

~~NEW\_SECTION.~~ Section 4. Effective date. This act is effective on July 1, 1983.

-End-







300 copies of this public document were published at an estimated cost of \$1.11 per copy, for a total cost of \$332.85, which includes \$332.85 for printing and \$.00 for distribution.